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(Substitute) PTO/SB/21 (09-04)

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/635,353
Filing Date	August 6, 2003
First Named Inventor	Robert M. Danen
Art Unit	3737
Examiner Name	
Attorney Docket Number	V1025/20184

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form (In duplicate) <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement (Supplemental) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): -Return Receipt Postcard
<div>Remarks</div> <p>Please charge Attorney Account No. 03-0075 as necessary to effect entry and/or ensure consideration of this submission.</p>		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Caesar, Rivise, Bernstein, Cohen & Pokotilow, Ltd., Customer No. 03000		
Signature			
Printed name	Scott M. Slomowitz		
Date	January 3, 2005	Reg. No.	39,032

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Transmitted to Facsimile No. (703) * 1			
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Typed or printed name	Scott M. Slomowitz	Date	January 3, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT EXAMINING OPERATION

Applicant: DANEN, Robert M.

Serial No: 10/635,353

Group Art Unit: 3737

Filed: August 6, 2003

Examiner:

Att. Docket No.: V1025/20184

Confirmation No.: 8901

For: METHOD FOR CORRECTING VESSEL AND BACKGROUND LIGHT INTENSITIES  
USED IN BEER'S LAW FOR LIGHT SCATTERING IN TISSUE

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each reference is attached. No copies of U.S. patents or U.S. patent application publications are attached. 37 CFR § 1.98(a)(2)(ii). It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom. No representation is made that the reference(s) is/are prior art with respect to this application.

This Information Disclosure Statement is being filed within three months of the filing date of a national application other than a CPA under 37 CFR § 1.53(d), within three months of the date of entry of the national stage as set forth in 37 CFR § 1.491 in an international application, before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of an RCE under 37 CFR § 1.114. No certification or fee is required. 37 CFR § 1.97(b).

Application No. 10/635,353  
Information Disclosure Statement Dated January 3, 2005

The references cited in the attached PTO Form 1449 were uncovered in a corresponding PCT application, namely PCT/US2004/025557. Alternatively, I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. Accordingly, no fee is due.

Respectfully submitted,

CAESAR, RIVISE, BERNSTEIN,  
COHEN & POKOTILOW, LTD.

January 3, 2005

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By

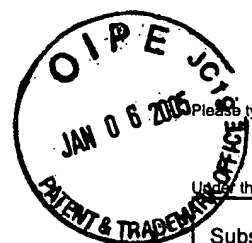
  
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Substitute for PTO/SB/08A (08-00)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for Form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheet as necessary)

Complete if Known

Application Number	10/635,353
Filing Date	August 6, 2003
First Named Inventor	Robert M. Danen
Group Art Unit	3737
Examiner Name	
Attorney Docket Number	V1025/20184

Sheet	1	of	1
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### U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code (if known)		
		US2002/0111546		Cook, et al.	08/15/2002
		6,104,939		Groner, et al.	08/15/2000
		6,420,709		Block, et al.	07/16/2002

### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T
		Office	Number	Kind Code (if known)			

### OTHER DOCUMENTS - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T
		International Search Report dated 11/25/2004 for corresponding application no. PCT/US2004/025557	

EXAMINER

DATE CONSIDERED

\*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.